

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERICO MARTINEZ-CARDENAS,)
Petitioner,) CASE NO. C13-0020-RSM
v.)
) ORDER GRANTING PETITION FOR
JANET NAPOLITANO, Secretary of the) WRIT OF HABEAS CORPUS
Department of Homeland Security, et al.,)
Respondents.)

The Court, having reviewed petitioner's petition for writ of habeas corpus (Dkt. No. 1), respondents' return memorandum and motion to dismiss (Dkt. No. 10), the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and any objections or responses to that, and the remaining record, finds and Orders as follows:

(1) The Court adopts the Report and Recommendation.

(2) Petitioner's petition for writ of habeas corpus (Dkt. No. 1), is GRANTED, and respondents' motion to dismiss (Dkt. No. 10), is DENIED.

(3) Respondents shall provide petitioner with an individualized bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226(a), to determine whether he is a flight risk or

01 danger to the community, within (15) fifteen days of the date of the entry of this Order.

02 (4) The Clerk shall send a copy of this Order to the parties, and to Judge Theiler.

03 DATED this 13 day of May 2013.

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RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE